

## Reorganization and Regular Meeting

January 7, 2008

The Reorganization Meeting of Souderton Borough Council was preceded at 7:30 pm, with District Justice Kenneth Deatelhauser administering the Oath of Office to newly elected Mayor John R. Reynolds. District Justice Kenneth Deatelhauser then administered the Oath of Office to the newly elected or re-elected members of Borough Council, including Borough Councillors Andrew Schlosser, Ray M. Yothers, D. Jeffrey Gross and Jonathan Gardenier.

Mayor John R. Reynolds called the Reorganization Meeting to order at 7:35 pm, with all members of Borough Council present.

Mayor Reynolds opened the floor for nominations for Council President. Councillor Jonathan Gardenier nominated John U. Young for the office of Council President. There being no further nominations, Borough Council voted unanimously to close the nominations for President.

Mayor Reynolds then opened the floor for nominations for the position of Council Vice-President. Councillor John U. Young nominated Andrew C. Schlosser for the position of Council Vice-President. There being no further nominations, Borough Council voted unanimously to close the nominations for Vice-President.

Mayor Reynolds then opened the floor for nominations for the position of President Pro-Tem. Councillor Ray Yothers nominated Edward Hunsicker to serve as President Pro-Tem. There being no further nominations, Borough Council voted unanimously to close the nominations for President Pro-Tem.

There being no further business, Mayor John Reynolds adjourned the Reorganization Meeting at 7:39 pm and turned the gavel over to Borough Council President John U. Young for the purpose of continuing with the regularly scheduled monthly meeting of Souderton Borough Council.

The Regular Meeting of the Souderton Borough Council was called to order by President John Young at 7:40 p.m. Members of Borough Council present at the Meeting included the following:

President John U. Young	Councillor J. Edward Hunsicker, Jr.
Vice President Andrew C. Schlosser	Mayor John R. Reynolds
Councillor Ned D. Leight	Junior Councillor Andrew Espenlaub
Councillor D. Jeffrey Gross	Solicitor Robert G. Bricker
Councillor Brian K. Goshow	Borough Manager P. Michael Coll
Councillor Katherine M. Grubb	Public Works Director Steven R. Coll
Councillor Jonathan C. Gardenier	Police Chief Charles A. Quinn, Sr.
Councillor Ray M. Yothers	

The Invocation was given by Borough Manager P. Michael Coll, followed by the Pledge of Allegiance to the Flag.

President John U. Young expressed appreciation to the members of Borough Council for their continued support. Committee assignments will be forwarded within the next week.

Consideration was given to the minutes of the December 3, 2007, Regular Borough Council Meeting. Councillor Jonathan Gardenier noted that the minutes should be clarified to show that the votes for Budget Ordinance 07-676-12 and the Real Estate Tax Ordinance 07-677-13 should be 7 yeas and 1 nay, since two Council members were absent from the December meeting. A motion was made by Councillor J. Edward Hunsicker, seconded by Councillor Katherine M. Grubb, to approve the minutes with the noted correction. The motion was approved.

Under correspondence, Borough Manager Michael Coll reported that he received a letter from Jonathan C. Gardenier, dated December 31, 2007, formally resigning as a member of the Souderton Zoning Hearing Board due to his election as a member of Borough Council. A letter was also received from Donna Rogers, 228 E. Summit Street expressing concern with vehicles parking too close to the entrances of the alley that runs behind the E. Summit Street townhomes.

Mayor John R. Reynolds expressed appreciation to former Borough Councillors Roy Zeiher and Philip Clemens for their years of service and contributions to the Borough as members of Borough Council.

Councillor Jonathan Gardenier questioned the amount of overtime listed on the monthly Police

Report and the possibility of using part time officers to reduce these overtime hours. President John Young suggested that this issue should be addressed at the monthly work session.

Solicitor's Report for the month of December, 2007, included research and preparation of a memorandum regarding the question of annexation of territory by the Borough. They also conducted research and prepared a memorandum in reference to the question regarding conflict of interest in municipal contracts. They filed a municipal lien for sidewalk construction along 105 N Main Street.

Councillor Jonathan Gardenier questioned whether the vacancy on the Zoning Hearing Board must be filled within the next thirty days. Borough Manager Michael Coll noted that the Borough Code specifically requires an appointment to a vacancy on Borough Council within thirty days; however, the Municipalities Planning Code does not set such a timetable for vacancies on the Zoning Hearing Board. As a general practice, Borough Council has tried to fill vacancies on other Boards and Commissions as close to thirty days as possible.

Councillor Katherine Grubb expressed concern with the condition of N. Fourth Street which was excavated by North Penn Water Authority and whether they will be returning to seal the patches and sweep the street. Public Works Director Steven Coll noted that the patches have been sealed which should cut down on the loose stone; however, the Borough will probably sweep the street to address the resident complaints.

Mayor John Reynolds questioned the schedule for Christmas tree collections. Steven Coll commented that the Borough crew has been collecting trees curb side and will continue collections throughout the week with regular brush collection.

Councillor Brian Goshow commented that he noticed that the pedestrian signs have been removed from Main Street, which seemed to help reduce the speed of traffic through the downtown. Steven Coll reported that the signs have been regularly hit and damaged by oversized trucks going through the area. We are in the process of rebuilding two of the signs which will be placed along the curb line at Chestnut and at Hillside Avenue. Councillor Goshow also commented whether any consideration was given to a trash can lid with an ashtray. Borough Manager Michael Coll noted that this type of lid was considered, but was not selected because of the cans being exposed to rain and the ashtray would require regular maintenance to keep clean and presentable.

Councillor Jonathan Gardenier reported that some residents along the 400 block of Noble Street complained about potholes along the street. Public Works Director Steven Coll noted that he will have the crew take care of this complaint as soon as weather conditions permit.

Councillor Jeffrey Gross expressed concern with the lack of a reduced speed ahead sign in the 400 block of Main Street which may also help to slow the speed of traffic as they come into the Borough.

Borough Manager Michael Coll reported on the scheduled business items for the meeting. The first item is consideration of a number of staff appointments including the Borough Secretary, Treasurer, Borough Solicitor, Borough Engineer and Borough Auditor. Also scheduled for consideration is an appointment for Vacancy Board Chairman and the re-appointment of Jack Marden to another three year term on the Zoning Hearing Board. Jack Marden currently serves as Chairman of the Board.

The next item for consideration is the award of a planning assistance contract to prepare a redevelopment plan for the Souderton High School property. Souderton Borough prepared and circulated a request for proposals for professional services to assist the Borough of Souderton and the Souderton Area School District in the preparation of a Redevelopment Area Plan to provide for and enhance the marketing and future redevelopment of the Souderton High School property. A total of five (5) proposals were received on or before the extended deadline for this project. In general all five proposals were deemed to be responsive to the original request for proposals and the associated scope of work and were found to be very competitive. The five proposals are tabulated as follows:

Tabulation of Proposals

DePallo Design & Planning, LLC 320 Fayette Street, Conshohocken, PA Associate: TownShapes, LLC	485 hours Est Expenses Total Cost	\$41,975.00 <u>2,000.00</u> \$43,975.00
Derck & Edson Associates 33 S Broad Street, Lititz, PA Assoc: Nick Viscome, Delta Develop Group, MKSD Arch	340 hours Est Expenses Total Cost	\$39,500.00 <u>5,000.00</u> \$44,500.00
Spillman Farmer Architects One Bethlehem Plaza, Suite 1000, Bethlehem, PA Assoc: Ott Consulting, Taggart Associates	477 hours Est Expenses Total Cost	\$49,847.00 <u>Not Specified</u> \$49,847.00
Keystone Heritage Group 242 Wood Street, Doylestown, PA	443 hours Est Expenses Total Cost	\$38-42,000.00 <u>15-20,000.00</u> \$53-62,000.00
RETTEW 223 Windgate Drive, Chester Springs, PA Assoc: John Moynahan Urban Design & Planning	602 hours Est Expenses Total Cost	\$63,448.82 <u>1,600.00</u> \$65,048.82

The proposals were discussed at an Administrative Work Session on December 17, 2007, which was also attended by representatives from the Souderton School District and Souderton-Telford Main Streets. Committee members are recommending award to DePallo Design and Planning.

During the December 17<sup>th</sup> work session, Borough Council discussed six proposals for the Streetscape Planning Project, Phase 3. The list was narrowed to Pennoni Associates, McMahon Associates and Hunt Engineering. Selection was complicated since each firm had a variety of different tasks within their proposal and Borough Council requested each firm to revise and modify their proposals to reflect a consistent scope of work among all three firms. Revised proposal were received from each firm by the January 3<sup>rd</sup> deadline as follows:

Hunt Engineering	\$ 78,850.00
McMahon Associates	\$110,893.00
Pennoni Associates	\$117,052.00

Further discussion of the proposals has been scheduled for this meeting; however, a request has been made to postpone final award for a Special Meeting to be held next Monday, January 14, 2008. This Special Meeting has been advertised.

Councillor Jonathan Gardenier raised a question regarding the proposed Inter-Municipal Agreement to fund the Indian Valley Public Library. The agreement suggests that Borough Council will be bound to levy the real estate tax levy as directed by the Library Committee. Borough Manager Michael Coll noted that the agreement is currently under review by the Borough Solicitor and this concern will be discussed at the Administrative Work Session.

Consideration was given to paying the bills for the month of December, 2007.

GENERAL FUND

Ches-Mont Disposal, Inc.	\$325.92	ICC	\$35.00
Jay R. Stover	700.00	Letterco	722.13
Meals on Wheels of Indian Valley	5,750.00	Montg. County Emergency Services	4,500.00
Nextel Communications	282.87	North Penn Goodwill Service	4,000.00
N. P. Visiting Nurses Association	4,250.00	PENNBQC	35.00
Senior Adult Activity Center of I.V.	5,750.00	Shelly Enterprises, Inc.	15.08
Souderton Ambulance Association	4,250.00	AMC Nursery & Landscaping	450.00
Concrete Service Materials	1,145.83	Hatfield Fire Company	3,000.00
North Penn Water Authority	23.48	Petty Cash Fund	169.77
PPL Electric Utilities	1919.03	PSAB CDL Testing Program	105.00
The Home Depot	28.76	AT&T	35.00
Bricker, Landis & Hunsberger	2,633.50	Couzins, Inc.	42,165.10

MetLife	240.70	MetLife	3,110.45
NetCarrier Telecom, Inc.	474.08	PA Municipal Retirement System	1,203.38
PA Municipal Retirement System	4,070.92	PECO Energy	167.18
Ply-Mar Construction Co., Inc.	47,187.00	PPL Electric Utilities	294.49
State Workers Insurance Fund	3,796.80	Univest Visa	340.00
Verizon	176.48	John U. Young	1,250.00
Perseverance Volunteer Fire Co.	22,000.00	Clemens Uniform Rental	227.46
Clemens Uniform Rental	31.11	Comcast Cable	42.95
Cope's Garage, Inc.	1,229.42	Glasgow, Inc.	63.00
Independence Blue Cross	14,919.92	Jaeger Electric Service, Inc.	450.61
John T. Fretz Insurance Agency	477.00	Keystone Health Plan East	6,229.48
Kurt Scherzberg	48.00	L.W. Clearing Co.	54.00
Landis Block & Concrete	64.80	M & M Stone Co.	53.58
MetLife	3,100.45	Moyer & Son, Inc.	2,646.89
Naceville Materials	278.43	PPL Electric Utilities	6,142.95
Richter Drafting/Office Supply	48.04	Rotanium Products Company	269..07
Trumbauers Lawn & Rec, Inc.	195.99	Univest Visa	769.25
Unum Insurance Company	751.70	Weldon Auto Parts	55.34
Word Work, Inc.	558.00		
		Total General Fund	\$205,310.48

### SEWER FUND

Ches-Mont Disposal, Inc.	\$89.60	North Penn Water Authority	\$138.53
PPL Electric Utilities	13,711.58	Thomas Wilcox Co. Inc.	376.67
Univar USA Inc.	2,510.80	Wolf, Block, Schorr & Solis-Cohen	1,157.00
Commonwealth Precast, Inc.	141.00	Essex Service Corporation	987.76
L/B Water Service, Inc.	687.50	Lawson Products, Inc.	409.71
Lower Salford Twp. Authority	375.00	Markey Paper & Packaging, Inc.	51.60
PPL Electric Utilities	1,101.43	The Home Depot	21.58
Altek Business Systems, Inc.	54.60	Bearings & Drives Unlimited	24.00
Comcast Cable	42.95	Drummond American Corporation	508.99
Environmental Machine/Services	676.00	J.P. Mascaro & Sons	6,248.97
MetLife	105.28	NetCarrier Telecom, Inc.	211.31
Postmaster, Telford/Souderton	175.00	S C Engineers, Inc.	489.84
State Workers Insurance Fund	1,627.20	Sureflow Technologies, LLC	475.00
The Home Depot	119.96	Ven-Mar Sales, Inc.	710.42
Verizon	52.94	Warehouse Battery Outlet	49.23
West Generator Services	82.50	Wolf, Block, Schorr & Solis-Cohen	5,537.45
California Contractors Supplies	129.65	Carquest	58.49
Cintas Corporation	43.11	Clemens Uniform Rental	157.20
Farm Bureau Garage, Inc.	51.00	Fisher Scientific	857.57
Hach Company	417.38	Hajoca Corporation	47.64
Hart Mechanical Contractor	1,040.00	Independence Blue Cross	4,093.35
J. P. Mascaro & Sons	3,694.86	Keystone Health Plan East	2,291.64
Moyer & Son, Inc.	397.21	Siemens Water Technologies	1,067.15
Siemens Water Technologies	160.50	Suburban Water Testing Labs	111.00
United Laboratories	628.98	Unum Insurance Company	233.75
		Total Sewer Fund	\$54,422.88

### LIQUID FUELS FUND

Letterco	\$86.00	PPL Electric Utilities	\$97.80
Armour & Sons Electric, Inc.	361.34	PPL Electric Utilities	298.59
		Total Liquid Fuels Fund	\$843.73

### SANITARY SEWER CAPITAL FUND (PLGIT)

Bank of New York	\$57,355.94	Highway Materials, Inc.	25,252.66
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P.K. Moyer & Sons, Inc.	14,748.50		
		Total Sanitary Sewer Capital Fund	\$97,357.10

### **LIBRARY TAX FUND**

Indian Valley Public Library

\$10,307.39

A motion was made by Councillor Ned D. Leight, and seconded by Councillor Katherine M. Grubb, to pay the bills for the month of December, 2007, as presented. The motion was approved.

President John U. Young opened the floor for public comment by Borough Residents and Property Owners.

Grover Thigpen, 233 Noble Street, addressed Borough Council and Mayor Reynolds with concerns over the police department's handling of an incident that occurred at this premises back on August 17, 2007. Mr. Thigpen described the incident where five people were assaulted by a resident of a neighboring apartment with an assault rifle. This intruder held the rifle to the face of Mr. Thigpen; however, when police responded, no arrests were made and the intruder was permitted to remain on the premises.

Lisa and Curtis Freed, 29 N Fourth Street, owners of the subject property on Noble Street also described the incident to Borough Council and Mayor John Reynolds. Lisa and Curtis Freed identified the intruder as Justin Murray who was staying in an apartment leased to Jamie Petrello and Chris Johnson, with the incident being started over the abuse of a dog. They were contacted by another tenant to respond to the property on a report that Justin Murray was damaging the property. Two 911 calls were placed to the Souderton Police Department. Mrs. Freed stated that two part-time officers from Souderton responded and one part time officer responded from Telford. In particular, Mrs. Freed expressed dissatisfaction towards Officer Gerald Moyer. Mr. Freed also noted that he sustained injuries during the altercation and the property sustained \$25,000 in damages from Justin Murray. They further expressed concerns with the conduct of Officer Moyer, errors in the police report, and the failure to make any arrest until four days after the incident.

Members of Borough Council discussed the matter further with the residents and referred the matter to the next Administrative Work Session for further review.

There being no further Public Comment, President John Young then began the business portion of the agenda, with the first item concerning the appointment of various staff positions and an appointment to the Zoning Hearing Board.

A motion was made by Councillor Ray M. Yothers, and seconded by Councillor J. Edward Hunsicker, Jr., to appoint P. Michael Coll, 458 Wile Avenue, Souderton as Borough Secretary/Treasurer. The motion was approved.

A motion was made by Councillor Ned D. Leight, and seconded by Councillor Andrew C. Schlosser, to appoint Robert G. Bricker and the law firm of Bricker, Landis and Hunsberger, LLC to serve as the Borough Solicitor. The motion was approved.

Councillor Jonathan Gardenier expressed concern with the recommended appointment of Boucher and James as the Borough Engineer. He was not satisfied with their performance in conducting the Pool Feasibility Study and the design of the new Municipal Parking lot. Their performance resulted in added expense to the Borough. Mr. Gardenier felt that this appointment should be tabled for further discussion. Other members of Borough Council discussed this matter and felt that a change in the position of Borough Engineer was not warranted. Borough Council is also free to obtain proposals from other engineering firms for consulting services on a specific project.

A motion was made by Councillor J. Edward Hunsicker, Jr., and seconded by Councillor Brian Goshow, to appoint Boucher & James, Inc as the Borough Engineer. The motion was approved by a vote of 8 yeas and 1 nay, with the dissenting vote cast by Councillor Jonathan Gardenier.

A motion was made by Councillor Katherine M. Grubb, and seconded by Councillor Andrew Schlosser, approving the engagement letter of Styer Associates to complete an audit of Borough funds and prepare the general purpose financial statements for the year ending December 31, 2007. The motion was approved.

A motion was made by Councillor J. Edward Hunsicker, Jr., and seconded by Councillor Ray M. Yothers, appointing George King, 339 W Chestnut Street, Souderton to serve as Vacancy Board Chairman through December 31, 2008. The motion was approved.

A motion was made by Councillor Jonathan C. Gardenier, and seconded by Councillor Andrew C. Schlosser, to appoint Jack M. Marden, 347 Madison Avenue, Souderton to a three year term as a member of the Souderton Zoning Hearing Board through December 31, 2010. The motion was approved.

The next item for consideration was the award of the planning assistance contract to prepare the redevelopment plan for the Souderton High School property. A motion was made by Councillor Andrew C. Schlosser, and seconded by Councillor Brian Goshow, to approve the proposal of DePallo Design and Planning, LLC, dated November 16, 2007, to prepare a redevelopment plan for the Souderton High School property at a cost of \$43,975.00. The motion was approved.

Considerable discussion was held on the three proposals for the Streetscape Planning Project along with questions regarding the administration of the grant which will reimburse up to 80 % of the project expenses. An award has to be made shortly given the time constraints of the grant requiring completion by June 30, 2008. Councillor Andrew Schlosser and Councillor Katherine Grubb both felt that they needed a little more time to review the proposals. Councillor Jonathan Gardenier also raised the potential of considering a zoning district change along Main Street from Green Street to Reliance Road. The area is currently zoned residential, but a significant amount of properties are actually used commercially. This may also have an impact on the streetscape design for this section of Main Street.

A motion was made by Councillor J. Edward Hunsicker, Jr., and seconded by Councillor Jonathan C. Gardenier, to authorize the advertisement of a Special Borough Council meeting to be held on Monday, January 14, 2008, beginning at 7:00 pm, to consider an award for the Streetscape Planning project.

Councillor Katherine Grubb requested the Borough Manager to proceed with scanning additional minutes into the web site, preferable from August 2006 through the present.

Councillor Edward Hunsicker noted that Flower Committee Chair Pat Halteman is battling cancer. She has devoted significant hours over the years in planting and maintaining flower beds throughout the Borough. She is doing well but we will need to plan to help her. Our prayers are with her.

Councillor Jonathan Gardenier commented on the Local Services Tax. He was disappointed that the Borough did not institute this tax earlier. There are approximately 2,800 people working in the Borough that would be subject to the \$52.00 annual tax, which could yield up to \$100,000 annually. This tax should be adopted and in place for the 2009 budget year.

There being no further business, the meeting was adjourned at 9:11p.m.

Respectfully submitted,

P. Michael Coll, Secretary